

REMARKS

Claims 1, 3 – 7, 9, 11, 13 - 19 have been amended. Claims 10 and 20 have been cancelled. Hence, Claims 1 – 9 and 11 – 19 are pending examination.

Claims 1 – 20 are rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 5,335,346, herein Fabbio.

Claims 1 and 11

To anticipate a claim, the reference must teach every element of the claim. MPEP 2131 “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Id.*, *Verdegaal Bros.v.Union Oil Co.of California*, 814 F.2d 628,631,2 USPQ2d 1051,1053

Claims 1 and 11, being "machine-implemented" recite automatically "receiving an expression returned by invoking [a] policy function," "rewriting [a] database command by creating a modified database command that incorporates said expression," "wherein the modified database command specifies, based on the expression, whether to mask a value of at least one column..." These limitations are not disclosed or suggested in any way by the cited art.

As a preliminary matter, the Office Action cites extremely large passages of text as disclosing limitations but fails to specify any specific element in the cited passages that correlates to any specific element in the claims. In an Office Action “the particular part relied on must be designated as nearly as practicable ... The pertinence of each reference, if not apparent, must be clearly explained ...” (37 C.F.R. § 1.104; MPEP 707). As shown above, the pertinence of the excerpts are not apparent and are not clearly explained. Instead, extremely large portions of the references are simply cited in a non-specific way. In fact, many limitations are conspicuously absent from these passages. What, for

example, in Fabbio could possibly correspond to a policy function, could possibly correspond to an expression returned by a policy function, or could possibly correspond to rewriting a database command. The failure to identify any specific element that corresponds to an element in the claims is tantamount to admitting that Fabbio fails to disclose what the Office Action alleges is disclosed.

While Applicant has been unable to decipher the basis of the Office Action, Applicant has thoroughly reviewed Fabbio and has found that many limitations claimed are not disclosed.

Fabbio teaches about control access to objects of object classes. An "object data manager transparently maintains a separate access control list 100 as part of each object within each object class." (col. 7, lines 37 – 39) The access control lists include access control attributes. "The access control attributes on each object consists of eight 32 bit entries..." (col. 7, lines 51 – 53)

The object manager compares a bit mask based on the access control attributes defined for a user and object to a "requested bit mask" representing a request for an operation on an object. Based on the comparison, particular modes of access are granted or denied. For example, "the object data manager defines a bit mask which is representative of the requested modes." (col. 8, lines 39 – 41). "The object data manager acquires the privilege bit mask defined for that user on [an] object..." The object data manager then checks to see if the requested bit mask is greater than the user's bit mask defined by the access control entry...." (col. 8, lines 60 – 64)

Fabbio's bit masking operations do not in any way suggest limitations of claims 1 and 11. It does not follow from comparing bit masks for access control attributes and requested modes that database commands are being automatically rewritten, as claimed,

much less rewritten by incorporating an expression returned by a policy function, as claimed.

Based on the foregoing, Fabbio fails to disclose or suggest in any way limitations of claims 1 and 11. Therefore, claims 1 and 11 are patentable. Reconsideration and allowance of claims 1 and 11 is respectfully requested.

Remaining Pending Claims.

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims include the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is respectfully requested. In addition, the dependent claims introduce additional limitations that independently render them patentable. Due to the fundamental difference already identified, a separate discussion of those limitations is not included at this time.

For the reasons set forth above, Applicant respectfully submits that all pending claims are patentable over the art of record, including the art cited but not applied.


Accordingly, allowance of all claims is hereby respectfully solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Respectfully submitted,

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on Oct. 25, 2006 by Trudy Bagdon